

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: HARALD VATER ET AL.

SERIAL NO.: 09/700,656

FILED: 17 May 1999

FOR: ACCESS-CONTROLLED DATA STORAGE
MEDIUM

GROUP ART UNIT: unassigned

EXAMINER: unassigned

ATTY. REFERENCE: JEK/Vater

THE COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Sir:

The below identified communication(s) or document(s) is(are) submitted in the above application or proceeding:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Declaration | <input type="checkbox"/> Issue Fee Transmittal |
| <input checked="" type="checkbox"/> Second Preliminary Amendment | <input checked="" type="checkbox"/> Check in the Amount of <u>\$250.00</u> |
| <input type="checkbox"/> Formal Drawings | <input checked="" type="checkbox"/> Copy of Notice to File Missing Parts |
| <input type="checkbox"/> Small Entity Declaration(s) | <input checked="" type="checkbox"/> Assignment, including cover sheet |

☒ Please debit or credit **Deposit Account Number 02-0200** for any deficiency or surplus in connection with this communication. A duplicate copy of this sheet is provided for use by the Deposit Account Branch.

☐

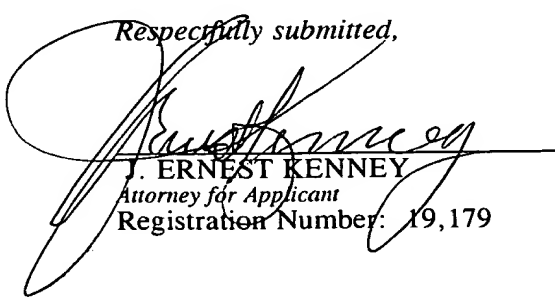
02/15/2001 MNGUYEN 00000104 09700656

02 FC:154 130.00 OP
03 FC:964 80.00 OP

BACON & THOMAS, PLLC
625 SLATERS LANE - FOURTH FLOOR
ALEXANDRIA, VIRGINIA 22314
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DATE: February 14, 2001

Respectfully submitted,


J. ERNEST KENNEY
Attorney for Applicant
Registration Number: 19,179

09/700656



Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PCT
Box PCT
Washington, D.C. 20231

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/700,656	VATER	H JER/VATER

BACON & THOMAS
FOURTH FLOOR
525 SLATERS LANE
ALEXANDRIA VA 22314-1176

5071

INTERNATIONAL APPLICATION NO.	
PCT/EP99/03385	
I.A. FILING DATE	PRIORITY DATE
05/17/99	05/18/98

DATE MAILED: 12/14/00

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
☒ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

☒ a non-English language.

☐ English.

☒ Translation of the international application into English.

☐ Oath or Declaration of inventors(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☒ The International Preliminary Examination Report in English and its Annexes, if any.

☐ Translation of Annexes to the International Preliminary Examination Report into English.

☒ Preliminary amendment(s) filed 12 Nov 00 and _____

☐ Information Disclosure Statement(s) filed _____ and _____

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed _____

☐ Statement Claiming Small Entity Status.

☐ Priority Document.

☒ Copy of the International Search Report ☒ and copies of the references cited therein.

☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

- ☐ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.

☒ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ 80.00 as a ☒ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice *MUST* be returned with this response.

Enclosed: ☒ PCT/DO/EO/917 ☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

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